# IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF PUERTO RICO

IN RE:

CASE NO. 09-09087 SEK

PREVENTIVE DETECTIVE AND INVESTIGATION

Chapter 7

XXX-XX5738

Debtor(s)

# NOTICE OF NEED TO FILE PROOF OF CLAIM DUE TO RECOVERY OF ASSETS

NOTICE IS GIVEN THAT:

The initial notice in this case instructed creditors that it was not necessary to file a proof of claim. Since that notice was sent, assets have been recovered by the trustee.

Creditors who wish to share in any distribution of funds must file a proof of claim with the Clerk of the Bankruptcy Court at the address below on or before

Date: August 30, 2011.

Creditors who do not file a proof of claim on or before this date will not share in any distribution from the debtor's estate.

The proof of claim is attached to this notice. It may be filed by regular mail. If you wish to receive proof of receipt by the Bankruptcy Court, enclosed a photocopy of the proof of claim together with a stamped, self-addressed envelope.

Dated: 08/30/2011

Address of the Bankruptcy Court:

CELESTINO MATTA-MENDEZ Clerk of the Court

U.S. Post Office and Courthouse Building 1<sup>st</sup>. Floor Suite 109 300 Recinto Sur Street Old San Juan, PR 00901

By: Eduardo Bujosa Deputy Clerk

San Juan, Puerto Rico, this 01 day of June, 2011.

## FORM B10 (Official Form 10) (10/05)

UNITED STATES BANKRUPTCY COURT DISTRICT OF				PROOF OF CLAIM
Name of Debtor		Case	Number	PROOF OF CLAIM
NOTE: This form shof the case. A "reque	1			
Name of Creditor (The person or other entity to whom the debtor owes money or property):		Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.		
Name and address where notices should be sent:			ck box if you have never received any ces from the bankruptcy court in this	
Telephone number:		Check box if the address differs from the address on the envelope sent to you by the court.		THIS SPACE IS FOR COURT USE ONLY
Last four digits of account or other number by which creditor identifies debtor:			Check here replaces if this claim amends a previously filed claim, dated:	
1. Basis for Claim  Goods sold Services performed Money loaned Personal injury/wrongful death Taxes Other		Retiree benefits as defined in 11 U.S.C. § 1114(a)  Wages, salaries, and compensation (fill out below) Last four digits of your SS #: Unpaid compensation for services performed  from to (date) (date)		
2. Date debt wa	s incurred:	3.	If court judgment, date obtaine	d:
<ul> <li>4. Classification of Claim. Check the appropriate box or boxes that best descrete side for important explanations.         Unsecured Nonpriority Claim \$</li></ul>			Secured Claim	
Specify the priority of the claim:  Up to \$2,225* of deposits toward pure			irchase, lease, or rental of property	
☐ Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B)			or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).	
☐ Wages, salaries, or commissions (up to \$10,000),* earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).  ☐ Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).  ☐ Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).  ☐ Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(3)  ☐ Other - Specify applicable paragraph of 11 U.S.C. § 507(a)().  *Amounts are subject to adjustment on 4/1/07 and every 3 years thereafte with respect to cases commenced on or after the date of adjustment.				
5. Total Amount of Claim at Time Case Filed: \$ (unsecured) (secured) (priority) (Total)				
☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.				
6. Credits: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.  7. Supporting Documents: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.  8. Date-Stamped Copy: To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.  Date  Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):				

# INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

# — DEFINITIONS —

#### Debtor

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

#### Creditor

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

#### **Proof of Claim**

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

#### Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim.*)

#### **Unsecured Claim**

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

# **Unsecured Priority Claim**

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

# Items to be completed in Proof of Claim form (if not already filled in)

### Court, Name of Debtor, and Case Number:

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

#### Information about Creditor:

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

## 1. Basis for Claim:

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

#### 2. Date Debt Incurred:

Fill in the date when the debt first was owed by the debtor.

#### 3. Court Judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

# 4. Classification of Claim

#### Secured Claim:

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the

amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

# **Unsecured Priority Claim:**

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

#### **Unsecured Nonpriority Claim:**

Check the appropriate place if you have an unsecured nonpriority claim, sometimes referred to as a "general unsecured claim". (See DEFINITIONS, above.) If your claim is partly secured and partly unsecured, state here the amount that is unsecured. If part of your claim is entitled to priority, state here the amount **not** entitled to priority.

#### 5. Total Amount of Claim at Time Case Filed:

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

#### 6. Credits:

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

## 7. Supporting Documents:

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.